



December 17, 2021

Via FOIAonline.gov

U.S. Environmental Protection Agency
Region 5
Ralph H. Metcalfe Federal Building
77 West Jackson Blvd.
Chicago, IL 60604

Re: Freedom of Information Request
Our File No.: 103740-0013
Your File No. R5-2022-000398

Dear Information Officers:

Please consider this letter an update and/or modification to the request for information under the Freedom of Information Act, 5 U.S.C. §552 (2002) ("FOIA"). This is a follow up to our December 13, 2021 call regarding the scope of our prior FOIA request.

Please provide any and all records (hard copy and electronic) pertaining to any investigation ever completed by your department at Dovetail Energy, LLC, 1156 Herr Road; Fairborn, Ohio 45324, including civilian, governmental and/or any other complaints, and documents pertaining to odor and/or air issues, communications between and/or with Dovetail regarding air and/or odor issues, any notices of violations and samples of soil reports and operation logs.

For all records responsive to these requests within the possession, custody or control of The United States Environmental Protection Agency which are not produced based on a claim of privilege or other exemption from disclosure, please prepare a privilege or exemption log describing, at a minimum: (i) the type of record withheld; (ii) the date(s) of creation of the record; (iii) the date of the record; (iv) the identity of the author and all recipients of the record; (v) the names of all people, entities, and locations referenced in the records; and (vi) a detailed description of the dates upon which the withholding is based (e.g., claim of privilege, specific FOIA exemption, etc.). To the extent any responsive documents are withheld based upon a claim of privilege or other exemption from disclosure, please produce redacted copies of all non-privileged or non-exempt factual material contained within such documents.

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Under FOIA, The United States Environmental Protection Agency has twenty (20) working days to respond to this FOIA request. I confirm in advance my willingness to pay for all reasonable costs associated with searching for and copying these records. Please forward all responsive electronic and paper documents and any invoice for reproduction costs to:

Moir H. Pietrowski, Esq.
Roetzel & Andress
222 South Main Street
Akron, OH 44308
mpietrowski@ralaw.com

If you have any questions, please contact me.

Very truly yours,

ROETZEL & ANDRESS, LPA

A handwritten signature in black ink, reading "Moira H. Pietrowski". The signature is fluid and cursive, with the first name "Moira" being the most prominent.

Moir H. Pietrowski

MHP/akp

cc via email: Lanita Marrable, marrable.lanita@epa.gov